

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

1	TESLA, INC.,	)	Case No.: _____
2)	
3	Plaintiff,	)	DECLARATION OF JOHN
4		)	SHUMWAY IN SUPPORT OF
5	v.	)	PLAINTIFF TESLA, INC.’S <i>EX PARTE</i>
6		)	MOTION FOR TEMPORARY
7	ALEX KHATILOV.	)	RESTRAINING ORDER, ORDER TO
8		)	SHOW CAUSE RE: PRELIMINARY
9	Defendant.	)	INJUNCTION, AND EVIDENCE
10		)	PRESERVATION ORDER
11		)	Date: _____
12		)	Time: _____
13		)	Dept: _____
14		)	Judge: _____
15		)	Complaint To Be Filed

I, John Shumway, affirm the following under penalty of perjury:

1. I work for Tesla, Inc. (“Tesla”) as a Lead Technical Investigator. My duties include investigating data misuse on Tesla systems. I have personal knowledge of the facts set forth herein, and if called as a witness, could and would testify to them.

2. The Tesla Information Security team uses monitoring software to monitor the Tesla network and determine whether data is being exfiltrated without authorization. I have participated in a number of investigations and this is critical to identify when people are improperly moving data off of the Tesla network.

3. On the morning of January 6, 2021, Tesla’s Information Security team, through its monitoring software, detected the transfer by employee Alex Khatilov (whose legal name is Sabhir Khatilov) of thousands of files from Tesla networks to his personal Dropbox account, between December 31, 2020 and January 4, 2021. The monitoring software identified 26,377

1 alerts related to file transfer outside of the Tesla network. I participated in an interview of Mr.
2 Khatilov via Microsoft Teams, a videoconference program, later that day.

3 4. I reviewed the 26,377 file alerts that were detected by the monitoring software
4 and believe that a portion of these file alerts are likely duplicates or artifacts of files based on the
5 interaction between the user's Tesla device and Dropbox software. However, as of today, I
6 believe that there are at least 6,300 files that were included in the transfer. Because of the
7 volume of files identified by the monitoring software, I continue to investigate the total number
8 of additional unique, non-duplicative files.

9 5. Our team also plans to review Mr. Khatilov's work laptop once we receive it.
10 However, I do not anticipate that this analysis will be capable of revealing anything concerning
11 his use of the cloud-based Dropbox account, including potential movement of Tesla files after
12 they were uploaded to the Dropbox account, which is outside of the Tesla network.

13 *[signature page follows]*
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1 I declare under penalty of perjury under the laws of the United States that the foregoing is
2 true and correct.

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4 Date: January 21, 2021



John Shumway